C.F. 71.

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Department of

OFFICE

STATION

Mis No. 934	
Dated	

Pages in the file

(SUBJECT.)

Allocation Land (S Kanara,
Mangalore Tk - Bolur Village
Ts No 84 - Municipal Commissioner
Mangalore - Fish market
Redemption Land

Recd 22-2-36

B 891/36 - B 886/36

Ref. B3-753-36.

Submitted through the Board of Revenue, Madras.

2. T.S.No.824 of Bolur village measuring 3.30 acres was alienated in favour of the Municipal Council, Mangalore for use as a fish market in B.P.Mis.3060 (L.R.& Sett.) dated 19.12.1924, subject to the payment of ground-rent at the rate of Rs.200/- per acre.

Pp 136/1579 (L)

3. The plot comprises 4 portions which are being used each for a different purpose:--

	Extent. A. C.	Use.
T.S.824/1	1. 57	Recreation ground.
" 824/2	0. 68	Fish market.
" 824/3	0. 50	Scavengers' huts.
" 824/4	0. 55	Municipal road.
	3. 30	

The conditions of alienation have thus been fulfilled only in respect of T.S.824/2. The scavengers' huts in 824/3 are claimed to have been built by the Municipal Council many years ago though the Council has no record about it.

No rent is charged for the huts and the Council derives no income from any of the plots T.S. 824 (1,3 and 4).

4. The Council applied to me to have the land revenue in respect of 824 (1,3 and 4) alienated, but it was unable to decide for what purposes it intended to use the plots. I enclose a copy of its Resolution No.11, dated 31.10.1935 which led to my order of 13.11.1935.

p 9 G
p 11 G

5. I have no objection to the request of the Council being considered and granted since it is paying considerably more to Government than it is recovering from the use of the land.

South Kanara Collector's Office,
Mangalore, 20th February 1936.

smadhavarao 20/2
For Collector.

To the Secretary, Board of Revenue, Madras.

Vmm 20.2.36

M.D'S.20/2.

Office copy.

Copy of letter from M.R.Ry. C.R. Karunakara Menon Avl. B.A., B.L., Commissioner, Mangalore Municipality No. Ref. C. 766/36-D2 dated 3rd February 1936, to the Secretary to the Government of Madras, L.S.G. Department through the Chairman, Municipal Council and the Collector, South Kanara.

Subject: Alienation -Land and Revenue .Boloor village- T.S.No. 824 - Market and Open space.

sum of Rs. 660/-was being paid by the Council to Government by way of assessment in respect of T.S.No. 824 of Booloor village wherein the Boloor Market is situated. In G.O. No. 1267 L & M, dated the 14th March 1934, Government directed that the full assessment on the sites of markets etc. should be paid by the lessees of the market, But in this particular case as the lease amount was much less than the assessment, being only about Rs.300/-, the council decided to separate the market site from the rest of the land and requested the Collector to alienate the Land Revenue in respect of the whole site excepting that of the market. The total extent of the plot T.S.No. 824 is 3 acres and 30 cents, of which the portion marked 824/2 and measuring 29,621 sq. ft. or 68 cents is the site required for the market, 824/3 measuring 21,780 sq. ft. or 50 cents is the portion wherein there are some scavenger's huts built by the council in the previous years, 824/4 measuring 23,958 sq. ft. or 55 cents is a road connecting two other roads shown in the sketch and the remaining portion marked as 824/1 (1.57 acres) is vacant site part of which is used for recreation purposes and part is vacant. The Collector in his Ref.B3-1082/35, dated the 20th September 1935 wanted to know the views of the council regarding the assignment of plots marked 824/3 and 824/1 to the Depressed Classes and pointed out that although it was ten years since the plot was made over to the Council for a market, the market had not grown to any extent beyond 35 cents, He also requested for a resolution of the Municipal council agreeing to

the resumption of 824/1 and 824/3 and agreeing to certain conditions regarding T.S.No.824/1. But the Municipal council in its resolution No.11 dated the 31st October 1935 (copy enclosed) agreed to the condition in respect of T.S.No. 824/4 but did not agree to the resumption of 824/1 and 824/3. The Collector's order on this (copy enclosed) was placed before the council and the council has directed me to address Government:-

I have to point out in this connection that the road shown as 824/4 is one contemplated under the Kodialbail West Ward Town Planning Scheme now under consideration of Government.

The assignment of house sites although is one of the things which has to receive the attention of the Council has to be decided in this particular case with reference to the financial aspect of the market It does not seem to be advisable to have a big Colony of Depressed Classes very close to the Market and it may affect the popularity of the market and with it the finances of the council. The existing two sheds near the market which are in 824/3 are at present occupied and the council does not seem to have any idea of continuing them there. There were one or two more sheds which collapsed some time back and no new ones have been built in their places and it is not proposed to give them permission to construct any.

The Pentlandpettah area is one full of residential houses and with the development of that area, the market also has to be improved. Besides, as much vacant space as is available is required for recreation purposes also. It is also the opinion of the Director of Town Planning that the open spaces available in the town are inadequate for the growing population of the town and an extract from his suggestions in certain case communicated with Government Memorandum No. 33,614-1-D3,P.H., dated the 3rd September 1928 is given below:-

**

Southern part of the Urva Maidan.

The Maidan itself should be kept as an open recretation space as far as possible but the development of a certain portion including the ragged southern and Eastern margins might

be permitted as a financial measure with a view to providing capital for the necessary improvements of the surrounding area and putting the Maidan itself into proper shape for recreation purposes. In this connection it is necessary to realise that though the area may not be in great demand for recreation at the present time, there appears to be a great increase in population in the surrounding district which is likely to continue and that we are only just now beginning to appreciate the value of physical education and the need for reservation of open spaces for play grounds and playing fields. We are naturally far behind most other countries in this matter, the area in most towns being ~~indicously~~ ridiculously inadequate for reasonable requirements; in Mangalore it is only 2.7% of the area of the town. This includes the Urva Maidan, I might refer to the position in England where the Ministry of Health has criticised Local Authorities for not reserving sufficient land for Town Planning Schemes for open spaces and have encouraged them to take out loans to secure land for reservation to meet future requirements.

× × ×

It has not been possible for the council to spend any money on the improvement of this market owing to want of funds. The Collector has in his proceedings dated the 13th November 1935 granted the council time till March 1936 to utilise the entire area. As it is impossible for the council to do so, the council requests that the Government may be pleased to alienate the Land Revenue in respect of T.S.No. 824/1, 3 and 4.

Endorsement threeon of the Chairman.Municipal Council Mangalore. dated 3rd February 1936.

F o r w a r d e d.

Extract from the Proceedings of the Mangalore Municipal Council dated 31st October 1935.

P r e s e n t

*** ***

11. Read letter Ref. B/1082/35, dated the 20th September 1935 from the Collector of South Kanara, requesting to send

a copy of the council's resolution agreeing to the conditions specified in the letter in respect of alienation of land T.S.Nos. 824/4 for purposes of Boloor Market and also agreeing to the resumption of 824/1 and 3 by Government for assignment to depressed classes and the Commissioner's note thereon.

The council agrees to the conditions of alienations in respect of the plot T.S.No. 824/4 and objects to the resumption of 824/1 and 3 as it considers that the plot will be needed for public purposes in the future specially on account of the growing importance of the locality. The council for want of funds has not been able to spend any amount on the improvement of the Markets and the area as well.

** **

(True extract)

Municipal Office,
Mangalore 5-11-35

(Sd.) C.K. Karunakara Menon,
Commissioner M.M.

--

Copy of proceedings of the Collector of South Kanara No. D.Dis. 1082/35 dated the 13th November 1935.
E.M. Gaeune Esq. I.C.S.

--

Alienation - Land and Revenue -Boloor village -T.S.No. 824-Market.

Read:- Letters Ref. M.No. 829/34-35, dated the 19th February 1935 and 5th November 1935.

Reports N.Dis. C.No.2138/35, dated 20-6-35 and N.Dis. C. No. 8047-35-A3, dated 14th September 1935 of the Tahsildar of Mangalore.

O R D E R:-

As the Municipal Council is not using the plot T.S. 824 (3.30 acres) except a small portion of 35 cents for the purposes of the market, it cannot get exemption from ground rent for T.S. No.824/4 alone, while retaining the other extent for itself for use contrary to the conditions of alienation.

2. It is unnecessary to take action now also only about T.S. 824/4, The council is given time till March 1936 to make up its mind about the use of each portion of the plot. The question of resumption of T.S.No.824 (compulsorily or otherwise) will be considered again in April 1936, if the conditions of alienation are not fulfilled by that time fully by the council.

(Sd.) B.Madhavara Rao
----- for Collector.

To the Commissioner of Mangalore Municipality-
Copy to the Revenue Divisional Officer, Mangalore,
Copy to the Tahsildar, Mangalore.

Draft

alienation.. land
(S. Kanara). Mang...
Taluk - Bolur Village
T.S. No 824 - Munici...
Council, Mangalore
Fish market. Res...
sanced

B 886 | 36 (9) ...
Res (mis) 934 of 13.3.36

In the circumst...
reported by the Coll...
the Board sanctions
resumption of an
extent of 2.62 ac...
comprising sub-divisions 1, 3 & 4 of
T.S No 824 of ...
Village, Mangalore ...
which was alienc... ...
in Board's Proceedi...
3060 Mis dated 19.12.2...
in favour of the Munici...
Council, Mangalore
use as the site of ...
fish market.

2 T.S No 824-4. The land
is not required for used as a
fish market but is
required for a road

~~copies~~. The Collector is, therefore, requested to take steps to alienate the lands and the revenue thereon in favour of the Municipal Council.

~~82~~ 3 S No 824-1 +3

In the concluding portion of the letter, from the Commissioner of the Mangalore Municipality, subd with the above letter read above he has stated that the lands are proposed to be kept as an open recreation space in view of the recommendation of the Director of Town Planning and also with a view to meet the contingency of the market developing in the future years. The Collector is requested to take steps to alienate the plots for the recreation purposes forwards that the Council removes the scavengers' huts in T.S. No. 824/3.

3 With reference to paragraph 5 of the Collector's letter read above, the is informed that no encroachment is being caused

To the Revenue Secy to Govt
Copy to the Comm[r], Mangalore Municipality
Copy to the Secy to Govt
L.S.G.
with Encls (pp 5 to 13)

CD
(Pl keep o/c of pp 5 to 11)

to the Municipal Corp
by the ~~payment~~ collection
rent as the difference
between the ground
and annual
assessment will be in
order to ~~the~~ ~~land~~ im

Elko 10336 12/3 43386
11

Dispatch entered p 246

M.
AS(L.R)

Note File

Alienation Land (South Kanara) Mangalore Taluk Bolur Village T.S. No 824. Municipal Council, Mangalore Fish market

B 886/36 PP 1 to 8 cf

To A.S(L.R)

1) 3060 Mis of 19.12.34 (L)
2) 1239 Mis of 18.3.34 (J)

Please see the letter from the commissioner, Mangalore Municipality, ~~addressed to the Govt~~ at pp 5 to 8 cf and the remarks of the collector at p 1 cf. The letter is addressed to him in the L.S.G. dept.

2. In its Proceedings No 3060 Mis dated 19-12-34 the Board Sanctioned the alienation of T.S. No 824 of Bolur Village, Mangalore Taluk, measuring ac 3-30 cents in favour of the Municipal council, Mangalore, for use as the site of a fish market Subject to the payment of ground rent at Rs 200/= an acre. The extent alienated is now used for the purposes shown below:

pp 13 to 15 of (L)

para 3, p 1 cf

T.S. No	Extent	purpose.
	a c	
824-1	1-37	Recreation ground
824-2	0-68	Fish market
824-3	0-50	Scavengers huts
824-4	0-55	Municipal road
	3.30	

The Municipal council applied to the Collector for the alienation of land revenue in Respect of T.S. Nos 824-1, 3+4. The Collector then observed that the lands were not used for the purposes for which they ~~were~~ had been alienated. He, therefore, asked the Municipal Council to state ~~as to~~ whether it had any objection to the relinquishment of T.S. Nos 824/1 + 3 for assignment ~~to~~ of to the members of the depressed classes and whether it agreed to the conditions of alienation in respect of T.S. No. 824-4 required for road purposes. On the objections raised by the Municipal council, the Collector appears to have dropped the Question of the assignment of the lands (T.S. Nos 824/1+3) to the members of the depressed classes. The Municipal council agreed ~~to~~ to the conditions of alienation regarding T.S No 824/4 but was unable to state definitely ~~for~~ to what purpose T.S Nos 824/1 + 3 ~~would~~ could be put.

p.11 cb put on his D.D. 18.10.82-35 dated 13-11-35 the Collector allowed the Municipal council time till march 1936 to make up its mind about the utilization of each of the plots and postponed the consideration of the question of their resumption ~~of the lands~~ to april 1936. The commissioners letter at pp 5 to 8 cf is

p 11 cf against the collectors order referred to above. From the letter it would appear that the Municipal council wants to retain control over the entire extent and to get the land revenue on

p 8 cf J.S. Nos 824/1, 3 and 4 alienated J.S. No 824-4 The land is not used as a fish market but is

p 6 cf required for road purposes The Board may perhaps sanction the resumption and

b 2336 request the collector to take steps to realienate the land at revenue for a road

J.S. Nos 824-1+3

From the concluding portion

Of the commissioner's letter, it appears that the Municipal council wants to keep the lands open in view of the recommendation of the Director of Town Planning and also with a view to meet the contingency of the market developing in future years. It is for consideration whether the Board will allow the Municipal council to retain the two plots for recreation purposes. There seems to be no objection to the Municipal council using the lands for the purposes ~~referred to~~ provided that it also agrees to remove the Scavengers huts in S.No. 8 24/3. The Board may sanction the resumption of the plots and request the Collector to take steps to alienate them for recreation purposes.

h
3.3.86

With reference to paragraphs of the collector's letter it is submitted that no hardship is being caused to the Municipal council by the payment of ground rent as the

difference between the ground-rent and agricultural assessment will be made over to the local body HS No income will be derived by it from T.S. Nos 824-1 & 3 the land revenue on these two plots will also be alienated, together with the land.

h 3336

~~boundaries alienated~~

EKo 7.2.36 8.

As the letter from the Municipal Commr. is addressed to the Govt. a copy of the Ref. and the letter may be marked to them for information. for orders.

U

DY 2/2.

h 3.3.36

Q/h 3.36

M.1

SECY. 10 MAR 1936

As (L.R)

JoAS.(L.R)

Draft Subd

EKo 10.3.36 U. DY

2. Copy of Proc. has been marked also to the Commr. of the Municipality.

h/3336

DY 1/3.